

MAR 18 2008

PTO/SB/64 (01-08)

Approved for use through 03/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

111766 CON

First named inventor: BERKLEY, David Arthur

Application No.: 10/090,602

Art. Unit: 2619

Filed: 03/05/2002

Examiner: PARK, Jung H.

Title: Active User Registry

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

03/19/2008 WASFAW1 00000011 502186 10090602

01 FC:1453 1540.00 DA

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1,540.00 (37 CFR 1.17(m))**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in the form of _____ (identify type of reply):

- ☐ has been filed previously on _____.
- ☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1,740

- ☐ has been paid previously on _____.
- ☒ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

CENTRAL FAX CENTER

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3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



 Signature

03/18/2008

Date

Ronald D. Slusky

Typed or printed name

26,585

Registration Number, if applicable

353 West 56th Street—Suite 5L

Address

212-246-4546

Telephone Number

New York, N.Y. 10019

Address

Enclosures: ☐ Fee Payment☐ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☒ Other: A. Fee Transmittal with Deposit Account Authorization

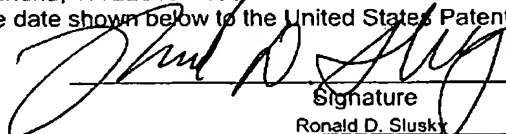
CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

03/18/2008

Date



 Signature

Ronald D. Slusky

Typed or printed name of person signing certificate

PTO/SB/17 MODIFIED BY AT&T CORP.

FEE TRANSMITTAL <small>Patent Fees are subject to annual revision.</small>		Application Number	10/090,602	RECEIVED CENTRAL FAX CENTER MAR 18 2008
		Filing Date	03/05/2002	
		First Named Inventor	BERKLEY, David Arthur	
		Examiner Name	PARK, Jung H.	
		Group/Art Unit	2619	
TOTAL AMOUNT OF PAYMENT	\$1540	Attorney Docket No.	111766 CON	

METHOD OF PAYMENT		FEE CALCULATION (continued)																											
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number 502186 Deposit Account Name Ronald D. Slusky, Atty at Law <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing Date of the Notice of Allowance		3. ADDITIONAL FEES																											
		Large Fee Code	Entity Fee(\$)	Fee Description	Fee Paid																								
		105	130	Surcharge - late filing fee or oath																									
		127	50	Surcharge - late provisional filing fee or cover sheet																									
		139	130	Non-English specification																									
		147	2520	For filing a request for reexamination																									
		112*	920	Requesting publication of SIR prior to Examiner action																									
		113*	1840	Requesting publication of SIR after Examiner action																									
		115	110	Extension for reply within first month																									
		116	400	Extension for reply within second month																									
		117	920	Extension for reply within third month																									
		118	1440	Extension for reply within fourth month																									
		128	1880	Extension for reply within fifth month																									
		119	320	Notice of Appeal																									
		120	320	Filing a brief in support of an appeal																									
		121	280	Request for oral hearing																									
		195	300	Publication fee																									
		140	110	Petition to revive - unavoidable																									
		141	1280	Petition to revive - unintentional	1540																								
		142	1280	Utility issue fee (or reissue)																									
		143	460	Design issue fee																									
		122	130	Petitions to the Commissioner																									
		123	50	Petitions related to provisional applications																									
		128	180	Submission of Information Disclosure Statement																									
		581	40	Recording each patent assignment per property (times number of properties)																									
		146	740	Filing a submission after final rejection (37 CFR 1.129(a))																									
		149	740	For each additional invention to be examined (37 CFR 1.129(b))																									
		179	740	Request for Continued Examination (RCE)																									
		Other fee (specify):																											
1. FILING FEE <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee(\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1011</td> <td>750</td> <td>Filing Fee</td> <td></td> </tr> <tr> <td>1111</td> <td>330</td> <td>Search Fee</td> <td></td> </tr> <tr> <td>1311</td> <td>740</td> <td>Examination Fee</td> <td></td> </tr> <tr> <td>114</td> <td>160</td> <td>Provisional Filing Fee</td> <td></td> </tr> <tr> <td colspan="3">SUBTOTAL (1)</td> <td></td> </tr> </tbody> </table>		Large Fee Code	Entity Fee(\$)	Fee Description	Fee Paid	1011	750	Filing Fee		1111	330	Search Fee		1311	740	Examination Fee		114	160	Provisional Filing Fee		SUBTOTAL (1)							
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2. CLAIMS <input type="checkbox"/> Filing Under 37CFR 1.53 (b) <input type="checkbox"/> CPA Under 37CFR 1.53 (d) <input checked="" type="checkbox"/> Amendment <table border="1"> <thead> <tr> <th>Extra Claims</th> <th>Fee</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>0</td> <td>50</td> <td></td> </tr> <tr> <td></td> <td>200</td> <td></td> </tr> <tr> <td colspan="2">Multiple Dependent Claims</td> <td></td> </tr> </tbody> </table>		Extra Claims	Fee	Fee Paid	0	50			200		Multiple Dependent Claims																		
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** or number previously paid, if greater, for Reissues, see above																													
		SUBTOTAL (3) 1540																											

SUBMITTED BY		Complete (if applicable)	
Typed or Printed Name	Ronald D. Slusky	Reg. Number	26585

